

13

DOCKET #
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN
AUG - 6 2003
U.S. DISTRICT COURT
WEST DISTRICT OF WISCONSIN

JAMES FLAD,

Plaintiff,

FILED
JOSEPH W. SPURGEON, CLERK
CASE #
Case No.: 03-C-0158-C

v.

ADAM WILLIAMS, SCOTT CASAR,
SUZANNE COOPER, INC.,
SUZANNE COOPER, THE DAYTON
NETWORK ACCESS CO.,
WWW.FUNLOL.COM,
WAYNE STAFFORD, FUNNYJUNK, INC.,
WWW.PASSAPAGE.COM
and LEIGH DASILVA,
MRS. O'POODLES & COMPANY,
TX COMMUNICATIONS PTY., LTD.,
and MILLAN MEDIA,

Defendants.

STIPULATION, CONSENT DECREE AND
INJUNCTION (MILLAN MEDIA)

STIPULATION

IT IS STIPULATED by and between Plaintiff James Flad ("Flad"), through his attorneys, and Defendant Camilla Eriksson, d/b/a Millan Media ("Eriksson") appearing pro se, as follows:

1. Eriksson acknowledges the validity, enforceability and incontestability of Flad's registered copyright, United States Copyright No. VA 420 005, in the work described in Exhibit 1 which is attached (hereinafter "Image").

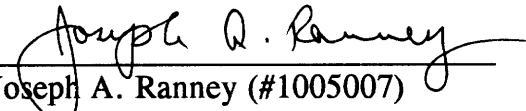
A copy of this document
has been mailed to the following:

Atty. Ranney, S. Casar;
L. Dasilva, O'Poodles & Co.;
this 5th day of August, 2003 by C. Eriksson
S. Vogel, Secretary to Judge Crabb

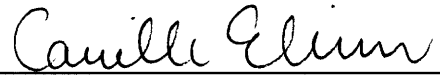
2. Eriksson has been advised that she has the right to hire an attorney and seek legal advice with respect to the claims against her in this action. Eriksson has elected to represent herself in this action.

3. Flad and Eriksson hereby stipulate and consent to entry of judgment in accordance with the following order and decree set forth below.

Dated: July 31, 2003.


Joseph A. Ranney (#1005007)
Joseph T. Leone (#1018149)
DeWitt Ross & Stevens S.C.
Two East Mifflin Street, Suite 600
Madison, WI 53703-2865
608-255-8891
Attorneys for Plaintiff

Dated: 7/29/2003, 2003.


Camille Eriksson d/b/a Millan Media
Defendant
Acting Pro Se

CONSENT DECREE AND INJUNCTION

The Court having reviewed the Stipulation of the Parties as set forth above and being otherwise well advised in the premises,

IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1.. Use of Image. As of the date of this Consent Decree and Injunction, Camille Eriksson d/b/a Millan Media ("Eriksson") will be enjoined from infringing Flad's registered copyright No. VA 420 005, in the Image attached hereto as Exhibit

A (hereinafter "Image"), from displaying the Image including any colorable imitation of the Image at any website or business location of Eriksson or in any other location in which the Image may be seen by consumers, and from displaying the Image including any colorable imitation of the Image in any advertising or other materials seen by any consumers.

2. All claims asserted by Plaintiff Flad in the above action against Defendant Eriksson are hereby dismissed on the merits, with prejudice and without costs. This dismissal does not apply to any defendant in the above action other than Eriksson.

Dated: August 5, 2003.

BY THE COURT:

Barbara B. Crabb
Honorable Barbara B. Crabb
United States District Judge



OFFICIAL SEAL

This certificate, issued under the seal of the Copyright Office in accordance with the provisions of section 410(a) of title 17, United States Code, attests that copyright registration has been made for the work identified below. The information in this certificate has been made a part of the Copyright Office records.

[Signature]

REGISTER OF COPYRIGHTS
United States of America

FORM VA

UNITED STATES COPYRIGHT OFFICE

REGISTRATION NUMBER

VA 420 005
VAU

EFFECTIVE DATE OF REGISTRATION

AUG 27 1990

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

TITLE OF THIS WORK ▼

BERT'S BATH

NATURE OF THIS WORK ▼ See instructions

PHOTOGRAPH

PREVIOUS OR ALTERNATIVE TITLES ▼

PUBLICATION AS A CONTRIBUTION If this work was published as a contribution to a periodical, serial, or collection, give information about the collective work in which the contribution appeared. Title of Collective Work ▼

If published in a periodical or serial give: Volume ▼

Number ▼

Issue Date ▼

On Pages ▼

2

NAME OF AUTHOR ▼

a

JAMES FLAD

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

2/17/47

Was this contribution to the work a "work made for hire"? ☐ Yes ☒ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

Citizen of ▼ U.S.A.

OR Domiciled in ▼ MADISON, WISCONSIN, USA

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by this author in which copyright is claimed. ▼

PHOTOGRAPH

NAME OF AUTHOR ▼

b

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

Citizen of ▼

OR Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☐ No

Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by this author in which copyright is claimed. ▼

NAME OF AUTHOR ▼

DATES OF BIRTH AND DEATH

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"? ☐ Yes ☐ No

AUTHOR'S NATIONALITY OR DOMICILE

Name of Country

Citizen of ▼

OR Domiciled in ▼

WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK

Anonymous? ☐ Yes ☐ No

Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

NATURE OF AUTHORSHIP

Briefly describe nature of the material created by this author in which copyright is claimed. ▼

YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED

1990

Year

DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK

Complete this information

ONLY if this work has been published.

Month ▼ JULY

Day ▼ 5

Year ▼ 1990

UNITED STATES OF AMERICA

Nation

COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼

JAMES FLAD
202 S. HIGH POINT RD.
MADISON, WI 53717

APPLICATION RECEIVED

AUG 27 1990

ONE DEPOSIT RECEIVED

AUG 27 1990

TWO DEPOSITS RECEIVED

REMITTANCE NUMBER AND DATE

4

See instructions before completing this space.

TRANSFER If the claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

MORE ON BACK ▶ • Complete all applicable spaces (numbered) • See detailed instructions.



DO NOT WRITE HERE

Page 1 of 1 pages

VA 420 005

EXAMINED BY

FORM VA

CHECKED BY

☐ CORRESPONDENCE
 Yes
FOR
COPYRIGHT
OFFICE
USE
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

☐ This is the first published edition of a work previously registered in unpublished form.

☒ This is the first application submitted by this author as copyright claimant.

☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

DERIVATIVE WORK OR COMPILATION Complete both space 6a & 6b for a derivative work; complete only 6b for a compilation.

 a. **Preexisting Material** Identify any preexisting work or works that this work is based on or incorporates. ▼

 b. **Material Added to This Work** Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.

Name ▼

Account Number ▼

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/Zip ▼

 JAMES FLAD
 202 S. HIGH POINT RD.
 MADISON, WI 53717

Area Code & Telephone Number ▶ (608) 833-5472

CERTIFICATION* I, the undersigned, hereby certify that I am the

Check only one ▼

☒ author

☐ other copyright claimant

☐ owner of exclusive right(s)

☐ authorized agent of

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

James Flad (JAMES FLAD)

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

JAMES FLAD

date ▶ 8-22-90

Handwritten signature (X) ▼

MAIL
CERTIFI-
CATE TOCertificate
will be
mailed in
window
envelope

Name ▼	JAMES FLAD
Number/Street/Apartment Number ▼	202 S. HIGH POINT RD.
City/State/ZIP ▼	MADISON, WI 53717

YOU MUST:

- Complete all necessary spaces
- Sign your application in space 8

SEND ALL 3 ELEMENTS
IN THE SAME PACKAGE:

1. Application form
2. Non-refundable \$10 filing fee in check or money order payable to Register of Copyrights
3. Deposit material

MAIL TO:

 Register of Copyrights
 Library of Congress
 Washington, D.C. 20559

